

**DEPARTMENT OF LABOR****Mine Safety and Health Administration****Proposed Information Collection Request Submitted for Public Comment and Recommendations; Hoist Operators Physical Fitness****ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

**DATES:** Submit comments on or before January 25, 2002.

**ADDRESSES:** Send comments to Gordon J. Burke, Jr., Director, Administration and Management, 4015 Wilson Boulevard, Room 611, 4015, Arlington, VA 22203-1984. Commenters are encouraged to send their comments on a computer disk, or via Internet E-mail to [Burke-Gordon@msha.gov](mailto:Burke-Gordon@msha.gov), along with an original printed copy. Mr. Burke can be reached at (703) 235-1383 (voice), or (703) 235-1563 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** Charlene N. Barnard, Regulatory Specialist, Records Management Division, U.S. Department of Labor, Mine Safety and Health Administration, Room 725, 4015 Wilson Boulevard, Arlington, VA 22203-1984. Ms. Barnard can be reached at [barnard-charlene@msha.gov](mailto:barnard-charlene@msha.gov) (Internet E-mail), (703) 235-1470 (voice), or (703) 235-1563 (facsimile).

**SUPPLEMENTARY INFORMATION:****I. Background**

Title 30 CFR sections 56.19057 and 57.19057 require the annual examination and certification of a hoist operator's fitness. The safety of all metal and nonmetallic miners riding hoist conveyances is dependent upon the attentiveness and physical capabilities of the hoist operator, in routine and emergency evacuations. Improper movement, overspeed, and overtravel of a hoisting conveyance can result in serious physical harm or death to all

passengers. While small mine operators are likely to have fewer hoists and hoist operators, Congress intended that the Mine Act be enforced at all mining operations within its jurisdiction regardless of size and that information collection and record keeping requirements be consistent with efficient and effective enforcement of the Mine Act. However, Congress did recognize that small operations may face problems in complying with some Mine Act provisions. Section 103(e) of the Mine Act directs the Secretary of Labor not to impose an unreasonable burden on small businesses when obtaining any information under the Mine Act. This information collection does not have a significant impact on a substantial number of small entities.

**II. Desired Focus of Comments**

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection related to the Hoist Operator's Physical Fitness. MSHA is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

A copy of the proposed information collection request may be viewed on the Internet by accessing the MSHA Home Page (<http://www.msha.gov>) and selecting "Statutory and Regulatory Information" then "Paperwork Reduction Act Submissions" (<http://www.msha.gov/regspwork.htm>) or by contacting the employee listed above in the **FOR FURTHER INFORMATION CONTACT** section of this notice for a hard copy.

**III. Current Actions**

Title 30 CFR sections 56.19057 and 57.19057 require the annual examination and certification of a hoist operator's fitness. The safety of all metal

and nonmetallic miners riding hoist conveyances is dependent upon the attentiveness and physical capabilities of the hoist operators, in routine and emergency evacuations. Improper movements, overspeed, and overtravel of a hoisting conveyance can result in serious physical harm or death to all passengers. Small mine operators are likely to have fewer hoists and hoist operators.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Hoist Operator's Physical Fitness.

*OMB Number:* 1219-0049.

*Affected Public:* Business or other for-profit.

*Frequency:* On occasion.

*Record keeping:* At least one year from the time that certification is obtained.

*Total Respondents:* 47.

*Total Responses:* 235.

*Average Time per Response:* 2 minutes.

*Estimated Total Burden Hours:* 7.8.

*Total Annualized Capital/Startup Costs:* \$0.

*Total Operating and Maintenance Costs:* \$72,380.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: November 16, 2001.

**Gordon J. Burke, Jr.,**

*Director, Administration and Management.*

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**BILLING CODE 4510-43-M**

**LEGAL SERVICES CORPORATION****Notice of Intent to Award—Grant Awards for the Provision of Civil Legal Services to Eligible Low-Income Clients Beginning March 1, 2002**

**AGENCY:** Legal Services Corporation.

**ACTION:** Announcement of intention to make FY 2002 Competitive Grant Awards.

**SUMMARY:** The Legal Services Corporation (LSC) hereby announces its intention to award grants and contracts to provide economical and effective delivery of high quality civil legal services to eligible low-income clients, beginning March 1, 2002.

**DATES:** All comments and recommendations must be received on or before the close of business on December 26, 2001.